

Senate File 281 - Introduced

SENATE FILE _____
BY BOETTGER and HATCH

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the licensing of naturopathic physicians.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2534SS 82
4 jr/je/5

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1 1 Section 1. Section 147.1, subsection 2, paragraphs c and
1 2 f, Code 2007, are amended to read as follows
1 3 c. "Licensed" or "certified" when applied to a physician
1 4 and surgeon, podiatric physician, osteopath, osteopathic
1 5 physician and surgeon, physician assistant, psychologist or
1 6 associate psychologist, chiropractor, nurse, dentist, dental
1 7 hygienist, optometrist, speech pathologist, audiologist,
1 8 pharmacist, physical therapist, occupational therapist,
1 9 respiratory care practitioner, practitioner of cosmetology
1 10 arts and sciences, practitioner of barbering, funeral
1 11 director, dietitian, marital and family therapist, mental
1 12 health counselor, social worker, massage therapist, athletic
1 13 trainer, acupuncturist, ~~or~~ interpreter for the hearing
1 14 impaired, or naturopathic physician means a person licensed
1 15 under this subtitle.

1 16 f. "Profession" means medicine and surgery, podiatry,
1 17 osteopathy, osteopathic medicine and surgery, practice as a
1 18 physician assistant, psychology, chiropractic, nursing,
1 19 dentistry, dental hygiene, optometry, speech pathology,
1 20 audiology, pharmacy, physical therapy, occupational therapy,
1 21 respiratory care, cosmetology arts and sciences, barbering,
1 22 mortuary science, marital and family therapy, mental health
1 23 counseling, social work, dietetics, massage therapy, athletic
1 24 training, acupuncture, ~~or~~ interpreting for the hearing
1 25 impaired, or naturopathic medicine.

1 26 Sec. 2. Section 147.2, unnumbered paragraph 1, Code 2007,
1 27 is amended to read as follows:

1 28 A person shall not engage in the practice of medicine and
1 29 surgery, podiatry, osteopathy, osteopathic medicine and
1 30 surgery, psychology, chiropractic, physical therapy, nursing,
1 31 dentistry, dental hygiene, optometry, speech pathology,
1 32 audiology, occupational therapy, respiratory care, pharmacy,
1 33 cosmetology, barbering, social work, dietetics, marital and
1 34 family therapy or mental health counseling, massage therapy,
1 35 mortuary science, athletic training, acupuncture, ~~or~~
2 1 interpreting for the hearing impaired, or naturopathic
2 2 medicine, or shall not practice as a physician assistant as
2 3 defined in the following chapters of this subtitle, unless the
2 4 person has obtained from the department a license for that
2 5 purpose.

2 6 Sec. 3. Section 147.13, Code 2007, is amended by adding
2 7 the following new subsection:

2 8 NEW SUBSECTION. 24. For naturopathic medicine,
2 9 naturopathic medicine.

2 10 Sec. 4. Section 147.14, Code 2007, is amended by adding
2 11 the following new subsection:

2 12 NEW SUBSECTION. 22. For naturopathic medicine, three
2 13 members licensed as naturopathic physicians, one member who is
2 14 licensed under chapter 148, 150, 150A, or 152, and one member
2 15 who is not a naturopathic physician or licensed health care
2 16 professional, who shall represent the general public.

2 17 Sec. 5. Section 147.74, Code 2007, is amended by adding
2 18 the following new subsection:

2 19 NEW SUBSECTION. 22A. A naturopathic physician licensed
2 20 under chapter 154F may use the words "naturopathic physician"
2 21 or the initials "N.D." or "N.M.D." after the person's name.

2 22 Sec. 6. Section 147.80, Code 2007, is amended by adding
2 23 the following new subsection:

2 24 NEW SUBSECTION. 29A. License to practice naturopathic
2 25 medicine upon the basis of an examination administered by the
2 26 board of naturopathic medicine, license to practice
2 27 naturopathic medicine under a reciprocal agreement, and
2 28 renewal of a license to practice naturopathic medicine.

2 29 Sec. 7. NEW SECTION. 154F.1 DEFINITIONS.

2 30 As used in this chapter, unless the context otherwise
2 31 requires:

2 32 1. "Board" means the board of naturopathic medicine
2 33 established in section 147.13.

2 34 2. "Department" means the department of public health.

2 35 3. "Naturopathic medicine" means a system of primary
3 1 health care for the prevention, diagnosis, and treatment of
3 2 human health conditions, injury, and disease; the promotion or
3 3 restoration of health; and the support and stimulation of a
3 4 patient's inherent self-healing processes through patient
3 5 education and the use of naturopathic therapies and
3 6 therapeutic substances.

3 7 4. "Naturopathic physician" means a person who is licensed
3 8 to practice naturopathic medicine under chapter 147 and this
3 9 chapter.

3 10 5. "Therapeutic substances" includes food, extracts of
3 11 food, nutraceuticals, vitamins, amino acids, minerals,
3 12 enzymes, botanicals and their extracts, botanical medicines,
3 13 homeopathic medicines, all dietary supplements,
3 14 nonprescription drugs as defined by the federal Food, Drug,
3 15 and Cosmetic Act and prescription drugs consistent with
3 16 naturopathic education that naturopathic physicians use in the
3 17 practice of the profession, as determined by the board.

3 18 Sec. 8. NEW SECTION. 154F.2 LICENSURE == NATUROPATHIC
3 19 MEDICINE.

3 20 An applicant for a license to practice naturopathic
3 21 medicine shall be granted a license by the board if the
3 22 applicant satisfies all of the following requirements:

3 23 1. At least two years' satisfactory liberal arts or
3 24 sciences study in a college or university accredited by either
3 25 the northwest association of schools and colleges or a like
3 26 regional association approved by the board.

3 27 2. Graduation from a naturopathic school or college as
3 28 approved by the board and meeting one or more of the following
3 29 requirements:

3 30 a. A naturopathic medical education program in the United
3 31 States providing the degree of doctor of naturopathy or doctor
3 32 of naturopathic medicine. Such program shall offer
3 33 graduate-level, full-time didactic and supervised clinical
3 34 training and shall be accredited, or shall have achieved
3 35 candidacy status for accreditation by the council on
4 1 naturopathic medical education or by an equivalent federally
4 2 recognized accrediting body for naturopathic medical programs
4 3 also recognized by the board. Additionally, the program shall
4 4 be an institution, or part of an institution of higher
4 5 education that is either accredited or is a candidate for
4 6 accreditation by a regional or national institutional
4 7 accrediting agency recognized by the United States secretary
4 8 of education.

4 9 b. A degree granting college or university that, prior to
4 10 the existence of the council on naturopathic medicinal
4 11 education, offered a full-time, structured curriculum in basic
4 12 sciences and supervised patient care comprising a doctoral
4 13 naturopathic medical education; such curriculum, as a
4 14 prerequisite to graduation, consisted of not less than one
4 15 hundred thirty-two weeks of study and required completion
4 16 within a period of not less than thirty-five months; such
4 17 college or university of naturopathic medicine shall have been
4 18 reputable and in good standing in the judgment of the board,
4 19 and if still in existence, shall have current programmatic
4 20 accreditation by the council on naturopathic medical education
4 21 or equivalent federally recognized accrediting agency.

4 22 c. A diploma granting, degree-equivalent college or
4 23 university in Canada, that prior to accreditation by the
4 24 council on naturopathic medical education, had provincial
4 25 approval for participation in government-funded student aid
4 26 programs, and that offered a full-time, structured curriculum
4 27 in basic sciences and supervised patient care comprising a
4 28 doctoral naturopathic medical education; such curriculum, as a
4 29 prerequisite to graduation, consisted of not less than one
4 30 hundred thirty-two weeks of study and required completion
4 31 within a period of not less than thirty-five months; such
4 32 college or university of liberal arts and naturopathic

4 33 medicine shall have been reputable and in good standing in the
4 34 judgment of the board, and if still in existence shall have
4 35 current programmatic accreditation by the council of
5 1 naturopathic medical education or equivalent federally
5 2 recognized accrediting agency. Additionally, the college or
5 3 university currently shall have provincial approval for
5 4 participation in government-funded student aid programs.
5 5 d. A diploma granting, degree-equivalent college or
5 6 university in Canada that offers graduate-level, full-time
5 7 didactic and supervised clinical training and is accredited,
5 8 or has achieved candidacy status for accreditation by the
5 9 council on naturopathic medical education or an equivalent
5 10 federally recognized accrediting body for naturopathic medical
5 11 programs also recognized by the board; and the college or
5 12 university has provincial approval for participation in
5 13 government-funded student aid.

5 14 3. Has passed a competency-based national naturopathic
5 15 licensing examination administered by the north American board
5 16 of naturopathic examiners or successor agency, that has been
5 17 nationally recognized to administer a naturopathic examination
5 18 representing federal standards of education and training. For
5 19 an approved program described in section 154F.2, subsection 2,
5 20 paragraph "c" or "d", eligibility for licensure may be granted
5 21 with evidence of successful passage of a board-approved state
5 22 or Canadian provincial competency examination.

5 23 Sec. 9. NEW SECTION. 154F.3 BOARD ORGANIZATION AND
5 24 AUTHORITY.

5 25 In addition to duties and responsibilities provided in
5 26 chapters 147 and 272C, the board and the department shall
5 27 adopt rules relating to:

5 28 1. Standards required for persons engaging in the practice
5 29 of naturopathic medicine.

5 30 2. Standards for professional conduct of persons licensed
5 31 under this chapter.

5 32 3. The administration of this chapter.

5 33 4. Procedures for the issuance, renewal, and removal of
5 34 persons licensed under this chapter based on qualifications,
5 35 standards, and scope of practice established by the board.

6 1 5. The maintenance of a registry of licensed naturopathic
6 2 physicians.

6 3 6. A naturopathic formulary enumerating the substances
6 4 that may be prescribed by a naturopathic physician. This
6 5 chapter does not allow a naturopathic physician to dispense,
6 6 administer, or prescribe any legend drug or device as defined
6 7 in chapter 124, unless such prescription or drug or device is
6 8 specifically included in the naturopathic formulary determined
6 9 by the board.

6 10 Sec. 10. NEW SECTION. 154F.4 EXCEPTIONS.

6 11 1. The practice of naturopathic medicine by a naturopathic
6 12 physician licensed pursuant to this chapter does not
6 13 constitute the practice of medicine and surgery under chapter
6 14 148, the practice of osteopathy under chapter 150, the
6 15 practice of osteopathic medicine and surgery under chapter
6 16 150A, or the practice of nursing under chapter 152.

6 17 2. This chapter and chapter 147 do not prevent qualified
6 18 members of other professions including but not limited to
6 19 individuals licensed under chapter 148, 150, 150A, or 152 from
6 20 providing services consistent with the nature of naturopathic
6 21 medicine, but these persons shall not use a title or
6 22 description denoting that they are licensed naturopathic
6 23 physicians.

6 24 Sec. 11. NEW SECTION. 154F.5 TRANSITION PROVISIONS.

6 25 To be granted a license by the board, an applicant for a
6 26 license to practice naturopathic medicine applying prior to
6 27 July 1, 2008, shall meet the education, graduation, and
6 28 curriculum requirements contained in section 154F.2. The
6 29 applicant shall not be required to pass the national, state,
6 30 or provincial licensing examination referred to in section
6 31 154F.2.

6 32 Sec. 12. Section 272C.1, subsection 6, Code 2007, is
6 33 amended by adding the following new paragraph:

6 34 NEW PARAGRAPH. ae. The board of naturopathic medical
6 35 examiners, created pursuant to chapter 147.

7 1 Sec. 13. INITIAL BOARD.

7 2 1. Notwithstanding section 147.14, initial professional
7 3 appointees to the board of naturopathic medicine shall either
7 4 hold a license in another state or have been engaged in the
7 5 practice or instruction of naturopathic medicine for at least
7 6 five years.

7 7 2. Notwithstanding section 147.14, of the initial
7 8 appointments to the board, one member shall be appointed for a

7 9 one-year term, one member shall be appointed for a two-year
7 10 term, and one member shall be appointed for a three-year term.
7 11 The member who is licensed under chapter 148, 150, 150A, or
7 12 152 shall be appointed for a two-year term and the member
7 13 representing the general public shall be appointed to a
7 14 three-year term.

7 15 EXPLANATION

7 16 This bill requires the licensing of naturopathic
7 17 physicians. The bill provides that the practice of
7 18 naturopathic medicine means the provision of naturopathic
7 19 medical services including physiotherapy, natural healing
7 20 processes, and minor surgery and has as its objective the
7 21 maintaining of the body in, or of restoring it to, a state of
7 22 normal health. The bill establishes educational and testing
7 23 requirements as a condition of licensure.

7 24 The bill provides for the establishment of a board of
7 25 naturopathic medicine responsible for establishing rules
7 26 regarding the licensing and practice of naturopathic medicine,
7 27 and makes changes in Code chapter 147 consistent with the
7 28 establishment of the new board.

7 29 The bill provides that qualified members of other
7 30 professions, including physicians and nurses, are not
7 31 prevented from providing services consistent with naturopathic
7 32 medicine, but these persons shall not use a title or
7 33 description denoting that they are naturopathic physicians.

7 34 The bill provides for the appointment of the initial board
7 35 and a transitional licensing provision for persons seeking
8 1 licensure prior to July 1, 2008.

8 2 LSB 2534SS 82

8 3 jr:rj/je/5.1